

Central Intelligence Agency



Washington, D.C. 20505

(b)(3)

25 March 2009

Mr. Mark S. Zaid
Executive Director
The James Madison Project
1380 Monroe Street, NW
Unit 269
Washington, D.C. 20010

APPROVED FOR
RELEASE ☐ DATE:
18-Aug-2010

Reference: F-2009-00491

Dear Mr. Zaid:

On 6 February 2009, the office of the Information and Privacy Coordinator received your 5 February 2009 Freedom of Information Act (FOIA) request for **“all Central Intelligence Agency (‘CIA’) records, including cross-references, pertaining to the processing of FOIA requests by the CIA, including but not limited to:**

- a) **Regulation, policies, or guidelines addressing how FOIA analysts are to interpret the scope of the subject material of the records requested, with respect to narrow interpretations vs. liberal interpretations;**
- b) **Regulations, policies, or guidelines addressing what modifications can or cannot be made by FOIA analysts to FOIA requests, with or without formal written permission from the requester; and**
- c) **Correspondence, emails, meeting minutes, and records of any discussions regarding how the CIA plans to change its regulations, policies, or guidelines for processing FOIA requests to comply with President Obama’s 21 January 2009 *Memorandum for the Heads of Executive Departments and Agencies* directing federal agencies to adopt a presumption in favor of disclosure.”**

We have assigned your request the reference number above. Please use this number when corresponding so that we can identify it easily.

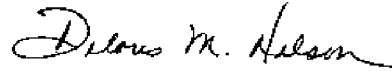
With regard to your overall topic, “all Central Intelligence Agency (‘CIA’) records, including cross-references, pertaining to the processing of FOIA requests by the CIA,” the Agency cannot accept your request because of the request’s breadth, vagueness, and lack of specificity. The FOIA requires requesters to “reasonably describe” the information they seek so that professional employees familiar with the subject matter can locate responsive information with a reasonable amount of effort. Professional employees cannot reasonably search all internal CIA documents to determine which ones contain information “pertaining to” the processing of FOIA requests by any component, anywhere in the Agency.

However, we accept subparts a-c of your request. The CIA Information Act, 50 U.S.C. § 431, as amended, exempts CIA operational files from the search, review, publication, and disclosure requirements of the FOIA. To the extent your request seeks information that is subject to the FOIA, we will process it in accordance with the FOIA, 5 U.S.C. § 552, as amended, and the CIA Information Act. We will search for records existing through the date of this acceptance letter.

Based on the information provided in your letter, we determined that your request falls into the "all other" fee category, which means that you will be required to pay charges that recover the cost of searching for and reproducing responsive records (if any) beyond the first 100 pages of reproduction and the first two hours of search time, which are free. Copies are ten cents per page. As a matter of administrative discretion, and in accordance with our regulations, the Agency has waived fees for this request.

The large number of FOIA requests CIA receives has created unavoidable delays making it unlikely that we can respond within the 20 working days the FOIA requires. You have the right to consider our honest appraisal as a denial of your request and you may appeal to the Agency Release Panel. A more practical approach would permit us to continue processing your request and respond to you as soon as we can. You will retain your appeal rights and, once you receive the results of our search, can appeal at that time if you wish. We will proceed on that basis unless you object.

Sincerely,

A handwritten signature in cursive script that reads "Delores M. Nelson".

Delores M. Nelson
Information and Privacy Coordinator

